IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4414 OF 2005

Rashtriya Seva Parishad & anr. ..Petitioners.

Vs.

The State of Maharashtra & Ors. ..Respondents.

...

Mr.C.K.Thomas for the Petitioners.

Mrs.S.S.Bhende, AGP for the State.

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CORAM : A.P.SHAH,

DR.D.Y.CHANDRACHUD, JJ.

12th July, 2005.

P.C. :

Heard counsel appearing for the Petitioner and learned AGP for the Respondents.

The First Petitioner institution had submitted an application before the Government of Maharashtra seeking 'no objection certificate' to start new D.Ed. College in Marathi medium at Kalyan (East), District Thane for the academic year

2004-05. The grievance of the Petitioners is that the Government has neither rejected nor granted this request for 'no objection certificate'. The proposal of the Petitioners is not forwarded to the National Council for Teachers Education (NCTE). The learned AGP had not disputed that the application filed by the Petitioners is pending before the Government and as yet, no decision is taken. Learned counsel for the Petitioners prays that suitable directions be given to the Respondents to take a decision on their application and then forward the same to Respondent No.4.

Without going to the controversy raised in this Petition, we direct Respondent No.1 to take an appropriate decision regarding non issuance of no objection certificate within a period of two months from today, taking into consideration the law laid down by the Supreme Court in St. Jones Teachers Training Institution v. Regional Director (NCTE) reported in 2003 (3) SCC 321. The Petition is accordingly disposed of.